

Exhibit “B”

Case 1:12-cv-04052-PAE Document 34 Filed 12/11/12 Page 1 of 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

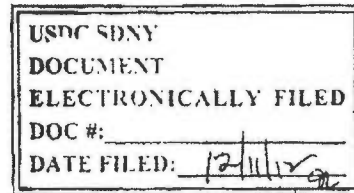
-----X
TODD KREISLER,

Plaintiff,

v.

KAIS ABID d/b/a PAPA JOHN'S,
PARKER EAST 24th APARTMENTS, LLC,
a New York limited liability company
and 305 EAST 24TH OWNERS CORP.,
a New York corporation,

Defendants.
-----X



Civil Action No.: 12 Civ. 4052 (PAE)
ECF CASE

FINAL DEFAULT JUDGMENT
AS TO DEFENDANT PARKER
EAST 24th APARTMENTS, LLC
ONLY

This action having been commenced on May 22, 2012 by the filing of the Summons and Complaint, and a copy of the Amended Summons and Amended Complaint having been served on PARKER EAST 24th APARTMENTS, LLC, on August 21, 2012, and proof of service having been filed on September 5, 2012, and the defendant, PARKER EAST 24th APARTMENTS, LLC, having failed to answer the Amended Complaint, and the time for answering the Amended Complaint having expired, it is:

ORDERED, ADJUDGED AND DECREED: Plaintiff, TODD KREISLER has judgment against defendant PARKER EAST 24th APARTMENTS, LLC requiring said defendant to correct the barriers on PAPA JOHN'S premises that constitute violations of the ADA, NYSHRL, and/or NYCHRL, as well as the following architectural barriers within ninety (90) days, including, but limited to:

- i. Provide an accessible entrance by installing a ramp with appropriate slope, or otherwise provide an accessible and properly designated

entrance, such as an ADA-approved portable ramp and an appropriately marked buzzer.

- ii. Provide signage addressing people with disabilities telling them that accessible services are provided.
- iii. Provide adequate directional and accurate informational signage.
- iv. Provide accessible fixed seating within the restaurant.
- v. Provide an accessible counter, at an accessible height, where patrons dine in Papa John's.

ORDERED, ADJUDGED AND DECREED: Plaintiff, TODD KREISLER, has judgment against defendant, PARKER EAST 24th APARTMENTS, LLC, to compensate the Plaintiff one-thousand dollars (\$1000.00) in compensatory damages based on defendant PARKER EAST 24th APARTMENTS, LLC violation of the New York City Human Rights Law and the New York State Human Rights Law within thirty (30) days.

ORDERED, ADJUDGED AND DECREED: Plaintiff, TODD KREISLER, has judgment for an award of attorney's fees, expert fees, expenses and costs as it relates to this matter, a motion for which shall be filed within fourteen (14) days of entry of this Final Default Judgment.

This Order does not resolve any claims against the remaining two defendants—305 East 24th Owners Corp. and Kais Abid d/b/a Papa John's.

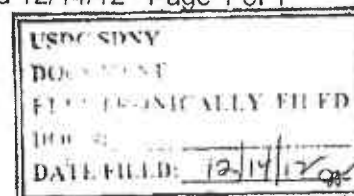
Dated: December 11, 2012
New York, New York

Paul A. Engelmayer

THE HONORABLE PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE

Exhibit “C”

Case 1:12-cv-04052-PAE Document 39 Filed 12/14/12 Page 1 of 1



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TODD KREISLER,

Plaintiff,

-v-

KAIS ABID d/b/a PAPA JOHN'S USA, INC. et al.,

Defendants.
-----X

12 Civ. 4052 (PAE)

ORDER & JUDGMENT

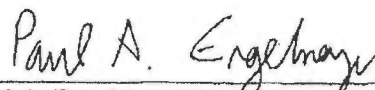
PAUL A. ENGELMAYER, District Judge:

The Court has received plaintiff's motion for attorney's fees and costs relating to Parker East 24th Apartments, LLC, against which the Court has entered default judgment.

The motion is granted, although the Court *sua sponte* reduces counsel's hours by 0.8 hours for time spent on purely administrative tasks, such as preparation of a civil cover sheet and making photocopies. The Court therefore finds that plaintiff's counsel's total hours are 46.7, for a total of \$21,219.50 in fees and expenses. The one-third of that amount properly allocated to Parker East 24th Apartments, LLC, is \$7,073.17.

The Court hereby enters judgment for plaintiff for attorney's fees in the amount of \$7,073.17.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: December 14, 2012
New York, New York

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

Date:

In Re:

-v-

Case #:

()

Dear Litigant,

Enclosed is a copy of the judgment entered in your case.

Your attention is directed to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, which requires that if you wish to appeal the judgment in your case, you must file a notice of appeal within 30 days of the date of entry of the judgment (60 days if the United States or an officer or agency of the United States is a party).

If you wish to appeal the judgment but for any reason you are unable to file your notice of appeal within the required time, you may make a motion for an extension of time in accordance with the provision of Fed. R. App. P. 4(a)(5). That rule requires you to show "excusable neglect" or "good cause" for your failure to file your notice of appeal within the time allowed. Any such motion must first be served upon the other parties and then filed with the Pro Se Office no later than 60 days from the date of entry of the judgment (90 days if the United States or an officer or agency of the United States is a party).

The enclosed Forms 1, 2 and 3 cover some common situations, and you may choose to use one of them if appropriate to your circumstances.

The Filing fee for a notice of appeal is \$5.00 and the appellate docketing fee is \$450.00 payable to the "Clerk of the Court, USDC, SDNY" by certified check, money order or cash. No personal checks are accepted.

Ruby J. Krajick, Clerk of Court

by:

, Deputy Clerk

APPEAL FORMS

U.S.D.C. S.D.N.Y. CM/BCF Support Unit

1

Revised: May 4, 2010

FORM 1

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

-V-

MOTION FOR EXTENSION OF TIME
TO FILE A NOTICE OF APPEAL

civ. ()

Pursuant to Fed. R. App. P. 4(a)(5), _____ respectfully
requests leave to file the within notice of appeal out of time.
desires to appeal the judgment in this action entered on _____
notice of appeal within the required number of days because:
(party)
(party)
(day)

[Explain here the "excusable neglect" or "good cause" which led to your failure to file a notice of appeal within the required number of days.]

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

()

(Telephone Number)

Note: You may use this form, together with a copy of Form 1, if you are seeking to appeal a judgment and did not file a copy of Form 1 within the required time. If you follow this procedure, these forms must be received in the office of the Clerk of the District Court no later than 60 days of the date which the judgment was entered (90 days if the United States or an officer or agency of the United States is a party).

APPEAL FORMS

U.S.D.C. S.D.N.Y. CM/ECF Support Unit

3

Revised: May 4, 2010

~~District Court will receive it within the 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).~~

FORM 3

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

-V-

AFFIRMATION OF SERVICE

civ. ()

I, _____, declare under penalty of perjury that I have
served a copy of the attached _____

upon _____

whose address is: _____

Date: _____
New York, New York

(Signature)

(Address)

(City, State and Zip Code)

FORM 4

APPEAL FORMS

U.S.D.C. S.D.N.Y. CM/BCF Support Unit

FORM 2

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

-X

-V-

-X

NOTICE OF APPEAL
AND
MOTION FOR EXTENSION OF TIME

civ. ()

1. Notice is hereby given that _____ hereby appeals to
(party)
the United States Court of Appeals for the Second Circuit from the judgment entered on _____.
[Give a description of the judgment]

2. In the event that this form was not received in the Clerk's office within the required time
_____ respectfully requests the court to grant an extension of time in
(party)
accordance with Fed. R. App. P. 4(a)(5).

a. In support of this request, _____ states that
(party)
this Court's judgment was received on _____ and that this form was mailed to the
(date)
court on _____
(date)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

()

(Telephone Number)

Note: You may use this form if you are mailing your notice of appeal and are not sure the Clerk of the

APPEAL FORMS